

Docket No.: 04607/0202709-US0
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Patent Application of:
Gregory C. Simmons**

Application No.: 10/528,185

Filed: March 17, 2005

For: APPARATUS FOR IMPROVING VEHICLE
PERFORMANCE

Confirmation No.: 6632

Art Unit: To Be Assigned

Examiner: To Be Assigned

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

**MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Dear Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. W371 in the United States Designated/Elected Office (DO/EO/US) mailed August 1, 2005, Applicant respectfully submits a Combined Declaration and Power of Attorney, Recordation Cover Sheet and Assignment, the Filing and Recordation of Assignment Fees for the Application (as shown on accompanying Fee Transmittal), a Second Preliminary Amendment, and Part 2 Copy of Notice.

Our check in the amount of \$870.00 covering the fee set forth in 37 CFR 1.16(f), 1.16(k), 1.16(o) and 1.21(h) is enclosed. The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: October 3, 2005

Respectfully submitted,

By 

David Leason

Registration No.: 36,195
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Attorneys/Agents For Applicant

10/11/2005 GFREY1 00000109 10528185

02 FC:1617	130.00 OP
03 FC:1616	-360.00 OP
04 FC:1206	-340.00 OP

Adjustment date: 02/21/2006 SAHMED1
10/11/2005 GFREY1 00000109 10528185
03 FC:1616 -360.00 OP
04 FC:1206 -340.00 OP

Repln. Ref: 02/21/2006 SAHMED1 0014392300
DAH:040100 Name/Number:10528185
FC: 9204 \$700.00 CR

JC03 Rec'd PCT/PTO 03 OCT 2005

PTO/SB/17 (12-04v2)

Approved for use through 7/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

<p>Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</p> <h2 style="text-align: center;">FEE TRANSMITTAL</h2> <h3 style="text-align: center;">For FY 2005</h3>		<p style="text-align: center;">Complete if Known</p>		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/528,185	
		Filing Date	March 17, 2005	
		First Named Inventor	Gregory C. Simmons	
		Examiner Name	To Be Assigned	
		Art Unit	To Be Assigned	
TOTAL AMOUNT OF PAYMENT	(\$)	870.00	Attorney Docket No.	04607/0202709-USO

METHOD OF PAYMENT (check all that apply)

☒ Check
 ☐ Credit Card
 ☐ Money Order
 ☐ None
 ☐ Other (please identify): _____

☐ Deposit Account
 Deposit Account Number: 04-0100
 Deposit Account Name: Darby & Darby P.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below
 ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17
 ☒ Credit any overpayments

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	700.00
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims Extra Claims Fee (\$) Fee Paid (\$) Multiple Dependent Claims
 10 - 20 = 0 x = Fee (\$) Fee Paid (\$)

Indep. Claims Extra Claims Fee (\$) Fee Paid (\$)
 2 - 3 = 0 x =

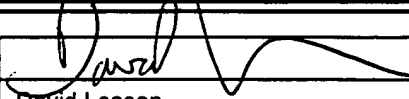
3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
14	- 100 = 0	/50 (round up to a whole number) x		

4. OTHER FEE(S)

	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): 1051 Surcharge-Late oath or declaration	130.00
8021 Recording each patent assignment, agreement or ...	40.00

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	36,195
Name (Print/Type)	David Leason	Telephone	(206) 262-8919
		Date	October 3, 2005

Rec'd PC 03 OCT 2005
10/528185

PTO/SB/92 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application No. (if known): 10/528,185

Attorney Docket No.: 04607/0202709-US0

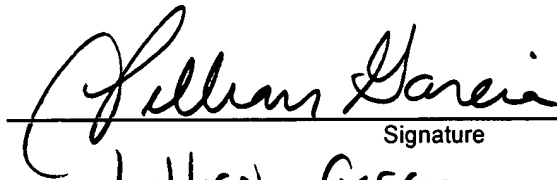
Express Mail Certificate Under 37 CFR §1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Airbill No. _____ in an envelope addressed to:

EV692131377-US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on October 3, 2005
Date



Signature

Lillian Garcia

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Response to Notification of Missing Requirements Under 35 USC 371 in the
United States Designated/Elected Office (DO/EO/US) (2 pages)
Copy of Notification of Missing Requirements Under 35 USC 371 ... (2 pages)
Declaration for Patent Application (4 pages)
Recordation Cover Sheet and Assignment (4 pages)
Fee Transmittal for FY 2005 (1 page)
Second Preliminary Amendment (6 pages)
Check # 9889, \$870.00
Return Receipt Postcard



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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I Hildreth

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/528,185	Gregory Carlyon Simmons	04607/0202709-USO

INTERNATIONAL APPLICATION NO.
PCT/GB03/04121

07278
DARBY & DARBY P.C.
P. O. BOX 5257
NEW YORK, NY 10150-5257

I.A. FILING DATE	PRIORITY DATE
09/17/2003	09/17/2002

DUE: Oct. 1, 2005
Docketed on 8/1/05 415 for
Docketed with initial file ☐
Attorney [Signature]

CONFIRMATION NO. 6632
371 FORMALITIES LETTER



Date Mailed: 08/01/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/17/2005
- Copy of the International Search Report filed on 03/17/2005
- Preliminary Amendments filed on 03/17/2005
- Information Disclosure Statements filed on 07/20/2005
- U.S. Basic National Fees filed on 03/17/2005
- Priority Documents filed on 03/17/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$360 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$490 for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$ 360**
 - **\$360** for multiple dependent claim surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/528,185	PCT/GB03/04121	04607/0202709-US0

FORM PCT/DO/EO/905 (371 Formalities Notice)